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STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

June 13, 2008

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

97od-144

Oahu

Amendment to Prior Board Action of December 5, 1975 under Agenda Item F-7, Request by City and County of Honolulu for State Land at Kaneohe, Oahu, Kaneohe Flood Control Project, Tax Map Key: (1) 4-5-42:02 and 4-5-37.

REMARKS:

On December 5, 1975 under agenda item F-7 the Board approved the fee conveyance of about 27 acres of State land to the City and County of Honolulu for the Kaneohe Flood Control Project (see Exhibit A). On January 9, 1976, under agenda item F-19, the Board amended its prior action by adding one parcel and a sewer line easement to the project.

A portion of Kaneohe Stream, referred to as parcel no. F-7, flowage easement (TMK: 1st/ 4-5-42:02) was inadvertently omitted from the 1975 submittal (see Exhibit B).

Upon checking our records, staff finds that the two easements for parcel no. S-2 for sewer line easement and parcel no. F-7 for flowage easement were never executed, as the file is incomplete in regards to the action on these two easements.

Staff recommends the Board amend its prior action by adding Parcel F-7 flowage easement to the approval.

RECOMMENDATION:

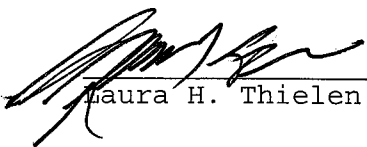
That the Board amend its prior action of December 5, 1975 under agenda item F-7, by adding flowage easement, F-7 (384 sq. ft.) to the subject request.

Respectfully Submitted,



Al Jodar  
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson

D-8

George R. Ariyoshi

~~XXXXXXXXXX~~  
GOVERNOR OF HAWAII



STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

DIVISION OF LAND MANAGEMENT

P. O. BOX 621

HONOLULU, HAWAII 96809

DIVISIONS:  
CONVEYANCES  
FISH AND GAME  
FORESTRY  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

December 5, 1975-

Board of Land and  
Natural Resources  
Honolulu, Hawaii

Gentlemen: REQUEST BY CITY AND COUNTY OF HONOLULU FOR STATE LAND AT KANEOHE, OAHU, FOR CONSTRUCTION OF KANEOHE FLOOD CONTROL PROJECT OAHU

STATUTE: Chapter 171-95, Hawaii Revised Statutes and other applicable statutes.

APPLICANT: CITY AND COUNTY OF HONOLULU *29 1/2 AC.*

FOR: ~~Twenty-seven (27)~~ acres of State land identified by Tax Map Key designations 4-5-07, 4-5-37, 4-5-40, 4-5-41, 4-5-42, all shown in variegated colors on Sheet Nos. 1 and 2, Flood Control Project Map, Kaneohe Dam, appended to the basic file, for construction of Kaneohe Flood Control Project. *97*

PURPOSE: Grant to City and County of Honolulu an immediate right of entry for construction upon the State land described above and subsequent conveyance thereof in fee to the County.

STATUS: Unencumbered land, except for a small portion granted for overhead powerline easement to Hawaiian Electric Co., Inc.

ZONING: Land Use Commission: Conservation

CONSIDERATION: \$1.00

REMARKS: The City and County of Honolulu by letter dated February 20, 1975, has requested a right of entry for construction for purpose of the dam construction on the above-mentioned State land and for subsequent permanent conveyance of the land to the City upon completion of the project.

The City proposes to issue invitation for bids soon for the dam construction. The 27 acres of State land will constitute an integral part of the total 365 acres required for the project site, which the City proposes to acquire in fee. Said State land consists mainly of the Kamooalii-Kaneohe Drainage Stream.

APPROVED BY THE BOARD OF  
LAND AND NATURAL RESOURCES  
AT ITS MEETING HELD ON

EXHIBIT "A"

ITEM F-7

The project site, including State land, lies east of Likelike Highway and abuts the makai boundary of the proposed TH-3 highway alignment.

The dam construction is required to protect the low-lying developed areas which have been susceptible to flooding during the rainy seasons.

Federal participation is involved in project funding and design. A final Environmental Impact Statement has been prepared by the Army and processed and accepted by the appropriate federal authority.

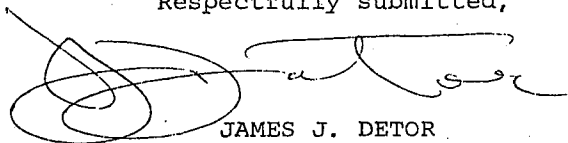
A Conservation District Use Application has been submitted to the Planning Office by the County.

RECOMMENDATION:

That the Board:


1. Authorize the grant of a right of entry for construction, effective December 1, 1975 to the City and County of Honolulu, for purpose of Kaneohe Flood Control Project construction on State land, subject to the Conservation District Use Application clearance.
2. Authorize the fee title conveyance of said 27-acre State-owned parcel to the City and County of Honolulu for the Kaneohe Flood Control Project, subject to the following terms and conditions:
  - a. Consideration of \$1.00.
  - b. Reservation of mineral and water rights.
  - c. Non-discrimination clause.
  - d. Disapproval by the Legislature at the next regular or special session.
  - e. Other terms and conditions as the Chairman may prescribe.

Respectfully submitted,



JAMES J. DETOR  
Land Management Administrator

APPROVED FOR SUBMITTAL:



CHRISTOPHER COBB, Chairman

George R. Ariyoshi  
GOVERNOR OF HAWAII



STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

DIVISION OF LAND MANAGEMENT

P. O. BOX 621

HONOLULU, HAWAII 96809

January 9, 1976

DIVISIONS:  
CONVEYANCES  
FISH AND GAME  
FORESTRY  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

Board of Land and  
Natural Resources  
Honolulu, Hawaii

Gentlemen:

OAHU

Amendment to City and County of  
Honolulu Request for State Land,  
Kaneohe Flood Control Project,  
Oahu

The Board at its December 5, 1975 meeting approved agenda Item F-7, relative to fee title and easement conveyance of approximately 27 acres of State land at Kaneohe, Oahu to the City and County of Honolulu (C&C) for the subject project.

A subsequent request by the C&C indicates a requirement for an additional approximately 2 1/2 acres comprising Parcel 42 (114,184 sq. ft.) and Parcel S-2 (271 sq. ft.), for conveyance in fee and easement, respectively.

RECOMMENDATION:

That the Board:

1. Authorize the fee and easement conveyance of said parcels to the City and County of Honolulu, to be used for subject project.
2. Approve the issuance of an right of entry for construction on said parcels, pending the conveyance documentation.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "James J. Detor".  
JAMES J. DETOR  
Land Management Administrator

APPROVED FOR SUBMITTAL:

A handwritten signature in dark ink, appearing to read "Christopher Cobb".  
CHRISTOPHER COBB, Chairman

**EXHIBIT "B"**

ITEM F-19